

January 28, 1976

PRESIDENT: Senator Kelly.

SENATOR KELLY: I waive.

PRESIDENT: Senator Burbach.

SENATOR BURBACH: Mr. President, members of the Legislature. In theory Senator Warner's amendment is the ultimate, but in actual usage, day by day operations of county government I can not visualize any way that it could possibly work. Supposing this amendment is passed the county has floods, they need to put in more bridges, they must adjust for a higher mill levy for the roads in their community. How can they ignore other problems just for the sake of telling the county boards that you must reduce that share. There possibly could be, if the county board could ascertain there responsibility for these items that are covered in LB202, it would be in that particular budget but the county officials need to know the county boards needs to know exactly how many patients it is going to have. It may have more next year than last year. It may have more this year than any other year in the past. So to even write it into that budget for this need, it would be almost impossible for them to do so. I think that they are elected by the people as we are, and I think that they are responsible to the people and I don't believe that it is necessary that we put in this type of an amendment to tell them that you have got to reduce when we don't know what their problems are. If we know all of their problems, if we were all wise in these areas, it would probably work, but I can assure this body that we are not aware of all of the problems of the county officials.

PRESIDENT: Senator Stull.

SENATOR STULL: Mr. President, members of the Legislature. Senator Burbach pretty well said what I wanted to say, but the thing that Senator Warner is trying to do is to actually get a reduction in spending to the equal amounts that they would receive in aid of 202. I agree with what Senator Warner is trying to do, but I am sure that he would pose more problems than he would solve. I would think perhaps that it is totally unworkable and I can recall when I was on the County Board that this body one time put a limit of 5% spending on the counties and our county carried that to the Supreme Court and it was determined that it was unconstitutional. We give those people in the counties and the local level authorities to do certain things and then we come along and try to tie their hands and take away the area that they really should use their judgment in trying to reach decisions. I think that this is a poor amendment and it should be defeated.

PRESIDENT: Senator Barnett.

SENATOR BARNETT: Mr. President, I have a question of Senator Warner. I think that he has been paying attention to debate. I think that Senator Warner, that Senator Burbach and Senator Stull said that it wouldn't work. If this is the case I would withdraw it, but I don't believe that is quite the case. Could you explain what they mean that it won't work?